

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

YESENIA BROTHERS,
INDIVIDUALLY AND AS NEXT
FRIEND OF KOURTNEE EVANS, A
MINOR,

Plaintiff,

V.

FEDERATED MUTUAL INSURANCE
COMPANY,

Defendant.

NO.: SA:18-CV-01071-DAE

SCHEDULING RECOMMENDATIONS

Subject to and without waiving Federated Mutual Insurance’s Motion to Dismiss, or in the Alternative, Motion to Transfer Venue, the parties recommend that the following deadlines be entered in the scheduling order to control the course of this case:

1. A report on alternative dispute resolution in compliance with Local Rule CV-88 shall be filed by January 9, 2019.
2. The parties asserting claims for relief shall submit a written offer of settlement to opposing parties by January 9, 2019, and each opposing party shall respond, in writing, by January 23, 2019.
3. The parties shall file all motions to amend or supplement pleadings or to join additional parties by February 8, 2019.

4. All parties asserting claims for relief shall file their designation of potential witnesses, testifying experts, and proposed exhibits, and shall serve on all parties, but not file the materials required by Fed. R. Civ. P. 26(a)(2)(B) by February 8, 2019. Parties resisting claims for relief shall file their designation of potential witnesses, testifying experts, and proposed exhibits, and shall serve on all parties, but not file the materials required by Fed. R. Civ. P. 26(a)(2)(B) by March 8, 2019. All designations of rebuttal experts shall be designated within 14 days of receipt of the report of the opposing expert.

5. An objection to the reliability of an expert's proposed testimony under Federal Rule of Evidence 702 shall be made by motion, specifically stating the basis for the objection and identifying the objectionable testimony, within 30 days of receipt of the written report of the expert's proposed testimony, or within 30 days of the expert's deposition, if a deposition is taken, whichever is later.

6. The parties shall complete all discovery on or before May 9, 2019. Counsel may by agreement continue discovery beyond the deadline, but there will be no intervention by the Court except in extraordinary circumstances, and no trial setting will be vacated because of information obtained in post-deadline discovery.

7. All dispositive motions shall be filed no later than June 7, 2019. Dispositive motions as defined in Local Rule CV-7(c) and responses to dispositive motions shall be limited to twenty (20) pages in length. Replies, if any, shall be limited to ten (10) pages in length in accordance with Local Rule CV-7(e). If the parties elect not to file dispositive motions, they must contact the courtroom deputy on or before this deadline in order to set a trial date.

8. The hearing on dispositive motions will be set by the Court after all responses and replies have been filed.

9. The Court will set the case for trial by separate order. The order will establish trial type deadlines to include pretrial matters pursuant to Local Rule CV-16(e)-(g).

10. All of the parties who have appeared in the action conferred concerning the contents of the proposed scheduling order on November 13, 2018, and the parties have agreed as to its contents.

s/ James V. Mazuca

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**ATTORNEYS FOR DEFENDANT,
FEDERATED MUTUAL
INSURANCE COMPANY**

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing has been served on the following counsel of record pursuant to the Federal Rules of Civil Procedure on the 14th day of November, 2018.

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